

7 <u>DE Admin Code</u> 1138 Section 15

Motor Vehicle or Mobile Equipment Surface Coating Operations



Public Hearing June 10, 2010

Congress identified 189
 Hazardous Air Pollutants
 or HAPs



- Congress directed the EPA
 - To identify emission sources of those 189
 HAPs and
 - To issue regulations to reduce HAPs emissions from those sources



- Congress directed the EPA to
 - Begin with those industrial facilities that typically have large HAPs emissions (major sources)



 Only later, move on to those facilities that typically have small HAPs emissions (area sources)





- EPA activities on major sources
 - 1992 EPA published its initial listing of predominately major source categories
 - 1993 2004 EPA issued over 100 regulations addressing HAPs emissions from a wide variety of <u>major sources</u>, including collision repair
 - 2005 and on EPA continues, but most resources have moved on to area sources



EPA's Area Source Air Toxics Program

As directed by Congress in 1990



EPA's Area Source Air Toxics Program

- Congress required EPA to
 - Identify 30+ HAPs that present the greatest threat to public health



- Identify types of sources that emit 90% of these 30+ HAPs
- Issue regulations to reduce adverse health effects due to the emission of HAPs from these small facilities



EPA's Area Source Air Toxics Program

- EPA activities on area sources
 - 1999 EPA published its listing of 33 HAPs having the greatest health impact (in handouts)
 - By 2002 EPA had identified over 60 area source categories (<u>in handouts</u>)
 - 2006 EPA began to focus more resources on these area sources

Area Source Categories

Acetaldehyde

Acrolein
Acrylonitrile
Arsenic compounds

Benzene
Beryllium compounds
1,3-butadiene
Cadmium compounds

Carbon tetrachloride
Chloroform
Chromium compounds

Which Brings

Tonight's
Public Hearing



EPA's Area Source Air Toxics Program

- On January 9, 2008, EPA issued another area source standard
 - Paint Stripping and Miscellaneous Surface
 Coating Operations at Area Sources
 - 40 CFR Part 63 Subpart HHHHHHH
 (Sub 6Hs)



 Federal adoptions of Area Source Standards lead to internal Departmental review



DE's Area Source Air Toxics Program

- Review of Federal Area Source Standards
 - Are there any Delaware sources?
 - How do the Federal requirements compare to existing Delaware air regulations?
 - Do the Federal requirements adequately meet the needs of the public, the regulated community, and the Department?
 - Are additional communications and outreach needed?



Results of Departmental Review of Sub 6Hs

- There were Delaware sources
- There were notable differences between the Sub 6Hs and Delaware's regulations or permits
 - Different pollutants being controlled
 - Different control strategy involved
 - Different best management practices
- The Department concluded there was sufficient need to adopt Sub 6Hs under DE's Area Source Air Toxics program



Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources

40 CFR Part 63 Subpart HHHHHH or Sub 6Hs



Methylene Chloride
Paint Stripping Operations
Reg. 1138 Section 13



Spray Coating Operations for Miscellaneous Parts or Products Reg. 1138 Section 14

Spray Coating Operations for Motor Vehicles or Mobile Equipment Reg. 1138 Section 15

Blue Skies Delaware; Clean Air for Life



Motor Vehicles

Golf Carts



Automobiles





Light Duty Trucks



Vans

Mobile Equipment

Heavy Duty Trucks





Bull



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Mobile Cranes









Section 15 – Differences under Sub 6Hs

- Different Pollutants "Target HAPs"
 - Cd Cr Pb Mn Ni



- Different Control Strategy
 - Required use of enclosures.







Section 15 – Differences under Sub 6Hs

- Different Pollutants "Target HAPs"
 - Cd Cr Pb Mn Ni



- Different Control Strategy
 - Limited spray application to trained painters



 Required use of high efficiency (98%) filters on enclosure exhausts





Provides Best Management Practices

- Installing pressure monitoring device
- Monitoring the pressure at least daily
- Only operating when the pressure is within the recommended range
- Taking corrective actions when a malfunction occurs
- Maintaining records to demonstrate proper operation and maintenance



DNREC's Proposed Section 15

Highlights of Section 15 of Reg. 1138 were presented in three **EPA/DNREC Collision Repair** workshops held in January 2010



- Draft Section 15 of Reg. 1138 was presented in three public workshops held in February 2010
- Proposed Section 15 appeared in the May 1, 2010 Delaware **Register of Regulations**



Office of the Registrar of Regulations, Legislative Council, State of Delaware



Errata Found in Proposed Section 15

Department is recommending a correction

- Removing surface coating of "space vehicles" from the list of activities in 15.1.2 that are exempted from Section 15, as space vehicles do no meet the definition of either motor vehicles or mobile equipment
- Revised proposed Section 15
 is included in hearing handouts,
 which shows this correction





In closing The Department Would like to add



The Department Exhibits

The Department offers

- 43 exhibits and asks that they be incorporated into the hearing record as DNREC Exhibits 15-1 through 15-43
- DNREC Exhibit 15-1 provides a description of each of these exhibits
- DNREC Exhibit 15-1 has also been included in public hearing handouts for the benefit of those attending tonight's public hearing



The Department's Exhibits Demonstrate

The Department has

- Met all Statutory and Departmental requirements throughout the development of Section 15
- Maintained open communications with potential affected sources and "interested parties" throughout the development process
- Provided the public with complete, timely information through the <u>Section 15 Regulatory</u> Web Page



The Department's Exhibits Demonstrate

Carcinogenic Effects

EPA classified some "Target HAPs" as

- Known Carcinogens
- Probable Carcinogens

Chronic Non-carcinogenic Effects



Other "Target HAPs" contribute to disease in

- Respiratory Systems
- Central Nervous Systems
- Human Development, especially fetus and children



For the latest information, follow the ongoing development of **Section 15 Regulatory Web Page**

www.awm.delaware.gov/Info/Regs/Pages/Section15.aspx

